



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,615	10/05/2007	Tejal Chauhan	884A.0122.U1(US)	1965
29683	7590	09/01/2009	EXAMINER	
HARRINGTON & SMITH, PC 4 RESEARCH DRIVE, Suite 202 SHELTON, CT 06484-6212			JAMA, ISAAK R	
			ART UNIT	PAPER NUMBER
			2617	
			MAIL DATE	DELIVERY MODE
			09/01/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/563,615	CHAUHAN ET AL.	
	Examiner	Art Unit	
	ISAAK R. JAMA	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 19 and 20 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22 and 23 is/are allowed.
- 6) ☒ Claim(s) 1-18 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-18 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 6,435,690 (Till).
2. Regarding claims 1 and 16, Till teaches a casing for a handheld device defining a generally planar operating face for providing an input mechanism and a display region and having a first axis defining an operation orientation of the device **[Figure 6, see keys for inputting numbers and a display]**, the casing providing first and second side sweeps confronting each other at respective ends defining the shape of the generally planar operating face and providing discontinuities at their respective confrontations, the alignment of the discontinuities defining a second axis along the longest span of the casing **[Figures 1 and 3B, # 30 and # 30e]**.
3. Regarding claim 2, Till teaches a casing for a handheld device wherein an audio axis for carrying a spaced microphone and speaker is aligned with the second axis **[Figure 6, see microphone at the bottom of the face]**
4. Regarding claim 3, Till teaches a casing for a handheld device wherein the confrontation comprises a physical convergence of the respective side sweeps **[Figure 1, # 30 and # 30f]**

Art Unit: 2617

5. Regarding claim 4, Till teaches a casing for a handheld device wherein the confrontation is provided by user detachable elements carried by the casing **[Column 4, lines 41-43]**.

5. Regarding claim 5, Till teaches a casing for a handheld device wherein the second axis lies along a diagonal **[Figure 2, # 30 which is placed diagonally from the bottom left of the device]**.

6. Regarding claim 6, Till teaches a casing for a handheld device wherein the other diagonal is truncated **[Figure 1, #s 30b and 30f]**.

7. Regarding claim 7, Till teaches a casing for a handheld device wherein the truncated diagonal runs terminates at a rounded corner **[Figure 1, # 30]**.

8. Regarding claim 8, Till teaches a casing for a handheld device wherein the truncated diagonal terminates at a rounded corner at both extremities **[Figure 3B; i.e. see how the ends of the bumper tapers]**.

9. Regarding claims 9-11, Till teaches a casing for a handheld device wherein the rounded corners provide two sweeping sides **[Figure 3B, column 5, lines 31-33; i.e. the case 30e be sized and configured such that, in position, it terminates before the back edge of the side]**.

10. Regarding claims 12 and 13, Till teaches a casing for a handheld device wherein the first and second axes intersect in the display region of the face **[Figure 1, i.e. by drawing a vertical line and a diagonal line on the surface of the device, it will intersect in the display and input regions]**.

Art Unit: 2617

11. Regarding claims 14 and 15, Till teaches a casing for a handheld device wherein the face is generally rectangular and square **[Figure 1, see the shape of the device]**.

12. Regarding claim 17, Till teaches a handheld telecommunications device wherein an audio axis for carrying a spaced microphone and speaker is aligned with the second axis **[Figure 9, i.e. the microphone and speaker]**, and wherein the first axis and audio axis are misaligned such that when the device is moved from the viewing to the listening position the rotation of the device required for alignment of the speaker and microphone outlets with the ear and mouth respectively of the user is greater than that required for alignment of the viewing axis with the ear and mouth **[Figure 1, i.e. the microphone and speaker under the flap which when extended will be greater in distance than when not.]**

13. Regarding claim 18, Till teaches a handheld telecommunications device wherein the device can be held in the hand in the proper orientation for viewing the display and lifted to the ear in proper orientation for audio communication whilst maintaining substantially the same lateral position of the user's wrist **[Figure 1, i.e. the device will be in proper orientation when lifted to the ear]**

14. Regarding claim 21, Till teaches a casing wherein the casing has substantially 180 degree rotational symmetry **[Figure 9, # 200 and microphone will still be symmetrical after a 180 degree rotation of the device]**.

Allowable Subject Matter

6. Claims 22 and 23 are allowed.

Art Unit: 2617

15. Regarding claim 22, the prior art made of record fails to neither teach or even suggest a casing for a handheld device defining a generally planar operating face, for providing an input mechanism and a display region, wherein the generally planar operating face comprises a face in a plane and has a first axis that lies in the plane defining an operation orientation of the device, the casing providing first and second side sweeps confronting each other at respective ends, the confronting side sweeps defining the perimeter of the generally planar operating face and providing first and second discontinuities at their respective confrontations, the alignment of the first and second discontinuities defining a second axis that lies in the plane along a single longest span of the perimeter of the casing and intersects the first axis at an angle in the plane, wherein the first side sweep has a first length along the perimeter between the first discontinuity and the second discontinuity, greater than the longest span and as the first length is traced from the first discontinuity to the second discontinuity along the perimeter a displacement of the perimeter from the second axis increases and then decreases and wherein the second side sweep has a second length along the perimeter between the first discontinuity and the second discontinuity, greater than the longest span and as the second length is traced from the first discontinuity to the second discontinuity along the perimeter a displacement of the perimeter from the second axis increases and then decreases as recited by claim 22.

16. Claim 23 is dependent on allowed base claim 22, and for that reason claim 23 is also allowed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent Number 5,982,881 (Mischenko) teaches a radiotelephone handset having a faceplate to accommodate a plurality of distinctive telephone appearances. U.S. Patent Number 7,456,994 (Silverbrook et al.) teaches a mobile telecommunications device with stylus having printhead tip. U.S. Patent Number 7,366,555 (Jokinen et al.) teaches a mobile station enclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ISAAK R. JAMA whose telephone number is (571)270-5887. The examiner can normally be reached on 7:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/IRJ/

/Lester Kincaid/

Supervisory Patent Examiner, Art Unit 2617